



STEVE COOLEY
LOS ANGELES COUNTY DISTRICT ATTORNEY

18000 CLARA SHORTRIDGE FOLTZ CRIMINAL JUSTICE CENTER
210 WEST TEMPLE STREET LOS ANGELES, CA 90012-3210 (213) 974-3501

January 19, 2010

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

**AUTHORIZE THE DISTRICT ATTORNEY TO COMPLETE THE APPLICATION
PROCESS FOR FEDERAL GRANT FUNDS FOR THE PROJECT SAFE
NEIGHBORHOODS (PSN) - GUN RESOURCE PROSECUTOR PROGRAM
(All DISTRICTS) (3 VOTES)**

SUBJECT

This Board Letter requests authority for the District Attorney's Office to complete the grant application process for continued grant funding for the Project Safe Neighborhoods (PSN) – Gun Resource Prosecutor Program in Fiscal Year 2009-10.

IT IS RECOMMENDED THAT YOUR BOARD:

1. Authorize the District Attorney, on behalf of the County of Los Angeles, to complete the grant application process with the California Emergency Management Agency (CalEMA) for grant funds for the period of October 1, 2009 to September 30, 2010, in the amount of \$70,000. There is no required County match for this grant.
2. Request the Chair of the Board to sign and affix a wet signature to the attached Certification of Assurance of Compliance Form required to complete the grant application.

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

44 JANUARY 19, 2010

Sachi A. Hamai
SACHI A. HAMAI
EXECUTIVE OFFICER

3. Delegate authority to the District Attorney or his designee upon award of grant funding by CalEMA, to accept and execute the Grant Award Agreement (GAA) and serve as the Project Director for the program. This also includes authorization to approve any subsequent amendments, modifications, and/or extensions to the CalEMA grant documents that do not increase the Net County Cost of the program.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The Department of Justice (DOJ) awarded Federal funds for the PSN – Gun Resource Prosecutor Program. On August 27, 2009, written proposals were submitted to the DOJ. A selection committee heard oral presentations on September 11, 2009 and allocated \$70,000 for the PSN – Gun Resource Prosecutor Program for the period of October 1, 2009 to September 30, 2010.

The District Attorney (DA) was awarded \$70,000 to coordinate efforts with the United States Attorney's Office (USAO) and the Department of Alcohol, Tobacco, Firearms and Explosives (ATF) to identify, target, disrupt, arrest and prosecute the "worst of the worst" criminals responsible for violent crime in the targeted areas, through an integrated Federal, State, and local law enforcement strategy with the objective of removing crime guns and those who use them from the streets of Los Angeles County.

CalEMA serves as the DOJ's fiscal agent for this grant program and requires recipients to complete a Certification of Assurance of Compliance form, which includes details regarding a recipient's Equal Employment Opportunity Program, Drug Free Workplace Compliance, California Environmental Quality Act Compliance, Lobbying, Debarment and Suspension requirements, and Proof of Authority from the City Council/Governing Board. Grant recipients are required to submit the necessary assurances and documentation before the release of grant funds.

Board authorization to accept grant funds is requested in order to comply with County and CalEMA requirements. The document has been approved as to form by County Counsel.

Implementation of Strategic Plan Goals

The PSN – Gun Resource Prosecutor Program directly supports the DA's core mission to vigorously prosecute felony crimes throughout the County of Los Angeles. Approval of the recommended action is consistent with the Los Angeles County's Strategic Plan Goal No. 1, Operational Effectiveness, to maximize the effectiveness of the County's processes, structure, and operations to support timely delivery of customer-oriented and efficient public services; and Strategic Plan Goal No. 5, Public Safety, to ensure that the committed efforts of the public safety partners continue to maintain and improve the safety and security of the people of Los Angeles County.

FISCAL IMPACT/FINANCING

The total program cost is estimated at \$234,650. This is the third year grant award. The total funding awarded to PSN – Gun Resource Prosecutor Program is \$70,000, which is included in the FY 2009-10 Final Adopted Budget. This will fund approximately 32% of the salary and employee benefits of one Deputy District Attorney IV.

In light of the State's budget situation, if funding for this program were to be terminated, an evaluation would be conducted to determine whether the program would either be continued with costs absorbed by the department, or discontinued with the reallocation of staff to vacant budgeted positions.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The PSN - Gun Resource Prosecutor Program is part of a nationwide Federal commitment to reduce gun-related crime by networking local programs and coordinating law enforcement efforts, with an emphasis on prevention, tactical intelligence gathering, more aggressive prosecution, and enhanced accountability. The goal of this program is to create safer neighborhoods by reducing gun violence and sustaining that reduction.

The DOJ is providing funding to combat gun violence in Los Angeles under the PSN Program. The DOJ has dedicated funding to support expanded anti-gang prevention and enforcement efforts under the Project Safe Neighborhoods initiative in the Central District. This initiative is authorized by H.R. 2862, the Science, State, Justice, Commerce and Related Agencies Appropriations Act of 2006.

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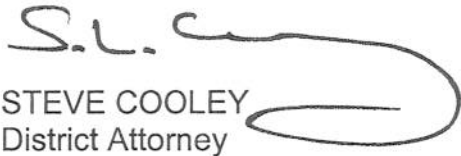
IMPACT ON CURRENT SERVICES (OR PROJECTS)

This program does not propose Attorney staff augmentation. Therefore, the DA's Office is not subject to the Board motion of December 15, 1998, requiring clearance with the Alternate Public Defender, Probation, Public Defender and Sheriff Departments.

CONCLUSION

Following Board approval, the Executive Officer-Clerk of the Board is requested to return two (2) copies of the adopted Board Letter, and two (2) CalEMA Certification of Assurance of Compliance Forms, with a wet signature, to Ms. Maria Baldwin, District Attorney's Office, 201 N. Figueroa Street, Suite 1300, California 90012. Any questions may be directed to Ms. Baldwin at (213) 202-7684.

Respectfully submitted,


STEVE COOLEY
District Attorney

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Attachment

c: Chief Executive Office
Acting County Counsel
Executive Officer, Board of Supervisors

CERTIFICATION OF ASSURANCE OF COMPLIANCE

I, STEVE COOLEY hereby certify that
(official authorized to sign grant award; same person as Section 12 on Grant Award Face Sheet)

RECIPIENT: COUNTY OF LOS ANGELES
IMPLEMENTING AGENCY: DISTRICT ATTORNEY'S OFFICE
PROJECT TITLE: PSN – GUN RESOURCE PROSECUTOR

is responsible for reviewing the *Grant Recipient Handbook* and adhering to all of the Grant Award Agreement requirements (state and/or federal) as directed by OES including, but not limited to, the following areas:

I. Equal Employment Opportunity – (2006 Recipient Handbook Section 2151)

It is the public policy of the State of California to promote equal employment opportunity by prohibiting discrimination or harassment in employment because of race, religious creed, color, national origin, ancestry, disability (mental and physical) including HIV and AIDS, medical condition (cancer and genetic characteristics), marital status, sex, sexual orientation, denial of family medical care leave, denial of pregnancy disability leave, or age (over 40). **OES-funded projects certify that they will comply with all state and federal requirements regarding equal employment opportunity, nondiscrimination and civil rights.**

Please provide the following information:

Equal Employment Opportunity Officer: JULIE DIXON SILVA
Title: CHIEF, EMPLOYEE RELATIONS DIVISION
Address: 201 N. FIGUEROA STREET, SUITE 1455, LOS ANGELES, CA 90012
Phone: (213) 202-7705
Email: jdsilva@da.lacounty.gov

II. Drug-Free Workplace Act of 1990 – (2006 Recipient Handbook, Section 2152)

The State of California requires that every person or organization awarded a grant or contract shall certify it will provide a drug-free workplace.

III. California Environmental Quality Act (CEQA) – (2006 Recipient Handbook, Section 2153)

The California Environmental Quality Act (CEQA) (*Public Resources Code, Section 21000 et seq.*) requires all OES funded projects to certify compliance with CEQA. Projects receiving funding must coordinate with their city or county planning agency to ensure that the project is in compliance with CEQA requirements.

IV. Lobbying – (2006 Recipient Handbook Section 2154)

OES grant funds, grant property, or grant funded positions shall not be used for any lobbying activities, including, but not limited to, being paid by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal grant or cooperative agreement.

V. Debarment and Suspension – (2006 Recipient Handbook Section 2155)

(This applies to federally funded grants only.)

OES-funded projects must certify that it and its principals are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of federal benefits by a state or federal court, or voluntarily excluded from covered transactions by any federal department of agency.

VI. Proof of Authority from City Council/Governing Board

The above-named organization (applicant) accepts responsibility for and will comply with the requirement to obtain written authorization from the city council/governing board in support of this program. The applicant agrees to provide all matching funds required for said project (including any amendment thereof) under the Program and the funding terms and conditions of OES, and that any cash match will be appropriated as required. It is agreed that any liability arising out of the performance of this Grant Award Agreement, including civil court actions for damages, shall be the responsibility of the grant recipient and the authorizing agency. The State of California and OES disclaim responsibility of any such liability. Furthermore, it is also agreed that grant funds received from OES shall not be used to supplant expenditures controlled by the city council/governing board.

The applicant is required to obtain written authorization from the city council/governing board that the official executing this agreement is, in fact, authorized to do so. The applicant is also required to maintain said written authorization on file and readily available upon demand.

All appropriate documentation must be maintained on file by the project and available for OES or public scrutiny upon request. Failure to comply with these requirements may result in suspension of payments under the grant or termination of the grant or both and the Recipient may be ineligible for award of any future grants if the OES determines that any of the following has occurred: (1) the Recipient has made false certification, or (2) violates the certification by failing to carry out the requirements as noted above.

CERTIFICATION

I, the official named below, am the same individual authorized to sign the Grant Award Agreement [Section 12 on Grant Award Face Sheet], and hereby swear that I am duly authorized legally to bind the contractor or grant recipient to the above described certification. I am fully aware that this certification, executed on the date and in the county below, is made under penalty of perjury under the laws of the State of California.

Authorized Official's Signature: S. A. Cooley

Authorized Official's Typed Name: STEVE COOLEY

Authorized Official's Title: DISTRICT ATTORNEY

Date Executed: _____

Federal ID Number: 95-6000927

Executed in the City/County of: LOS ANGELES

AUTHORIZED BY: *(not applicable to State agencies)*

- City/County Financial Officer or
- City Manager or
- Governing Board Chair

Signature: Gloria Molina

Typed Name: GLORIA MOLINA

Title: CHAIR, LOS ANGELES COUNTY BOARD OF SUPERVISORS



APPROVED AS TO FORM

BY: [Signature]
DEPUTY